



Entered on Docket
September 23, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Sixth Omnibus
Objection Of USACM Trust To Proofs
Of Claim Based In Whole Or In Part Upon
Investment In The Del Valle Livingston
Loan**

Hearing Date: August 30, 2011
Hearing Time: 10:30 a.m.

The Court having considered the "Sixth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole Or In Part Upon Investment in The Del Valle Livingston Loan," ("Del Valle Livingston Loan") [DE 8538] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the

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2 disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to
3 repayment by the borrower or from the collateral securing the Del Valle Livingston Loan;
4 and good cause appearing:

5 **IT IS ORDERED** that:

- 6 1. The Objection [DE 8538] is sustained; and
7 2. The claims listed on **Exhibit A** attached are disallowed in full to the extent
8 those claims are based upon an investment in the Del Valle Livingston Loan.
9

10 PREPARED AND RESPECTFULLY SUBMITTED BY:

11 **LEWIS AND ROCA LLP**
12

13 By /s/ John Hinderaker (AZ #018024)

14 Robert M. Charles, Jr.

15 John Hinderaker (*pro hac vice*)

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20 *Attorneys for USACM Liquidating Trust*
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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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USACUM TRUST
Del Valle - Livingston Loan
Multiple Loan Claims

Claim	Date Claim was Filed	Name	Address	Total Claim Amount Relating to the Del Valle - Livingston Loan	Approximate Amount Subject to Objection Because it Relates to an Investment In the Del Valle - Livingston Loan
10725-01541	12/7/2006	Graham Family Trust Dtd 10/26/78	Robin B & Celia Allen Graham Ttees 1460 Twinridge Rd Santa Barbara, CA 93111-1223	503,808.00	25,000.00
10725-01936	1/9/2007	Halseth Family Trust Totally Restated 4/21/00	Daniel R & Sandra K Halseth Ttees 23 Molas Dr Durango, CO 81301	Unknown	Unknown
10725-02042	1/11/2007	Herd Family Trust Dtd 4/23/99	C/O Allen & Marilyn Herd Ttees 598 Alawa Pl Angels Camp, CA 95222-9768	606,089.02	50,000.00
10725-01911	1/10/2007	Ingman, Marc M	1923 La Mesa Dr Santa Monica, CA 90402-2322	507,500.00	100,000.00
10725-00893	10/31/2006	Joyce E Smith Trust Dated 11/3/99	C/O Joyce E Smith Trustee 3080 Red Springs Dr Las Vegas, NV 89135-1548	853,678.82	50,865.81
10725-01660	12/9/2006	Kehl, Robert J & Ruth Ann	Janet L Chubb, Atty. At Law Armstrong Teasdale LLP 50 W. Liberty, Suite 950 Reno, NV 89501	12,841,680.13	600,000.00
10725-02326	1/13/2007	L Earle Romak IRA	First Savings Bank Custodian L Earle Romak IRA Po Box 6185 Incline Village, NV 89450	2,000,000.00	50,000.00
10725-00687	10/20/2006	Lora & Loyal Crownover Family Trust	C/O Loyal Crownover Trustee 2213 Plaza Del Puerto Las Vegas, NV 89102-4045	600,000.00	200,000.00
10725-01035	11/6/2006	Loughlin Family Trust	C/O Richard J. & Roberta L. Loughlin Pmb 107 3212 Jefferson St. Napa, CA 94558-3436	1,116,400.00	300,000.00
10725-01549	12/6/2006	Loughlin Family Trust	C/O Richard J. & Roberta L. Loughlin Pmb 107 3212 Jefferson St. Napa, CA 94558-3436	27,000.00	-

EXHIBIT A